

REMARKS

Upon entry of the proposed amendment, Claims 5, 8, 14, and 16 will be amended, and Claims 1-4, 6, 7, and 15 cancelled. Independent Claims 5 and 14, with Claims 8-13, and 16, respectively depending therefrom will remain for consideration.

In the Final Office Action mailed April 19, 2005 the Examiner rejected Claims 1-5, and 9-11 under 35 U.S.C. § 103(a) as being unpatentable over Nichols (USPN 1,712,579) in view of Nichols, Jr. (USPN 3,968,535), and Burr et al. (USPN 6,112,367). The Examiner rejected Claims 6-8 under 35 U.S.C. § 103(a) as being unpatentable over Nichols (USPN 1,712,579) in view of Nichols, Jr. (USPN 3,968,535), Burr et al. (USPN 6,112,367), and Kenney et al. (USPN 6,366,758). The Examiner rejected Claims 12 and 13 under 35 U.S.C. § 103(a) as being unpatentable over Nichols (USPN 1,712,579) in view of Nichols, Jr. (USPN 3,968,535), Burr et al. (USPN 6,112,367), and Peterson (USPN 6,715,692). The cancellation of Claims 1-4, 6, 7, and 15 by the present amendment serves to render these particular grounds of rejection moot. With respect to Claims 5, 8-14, and 16, these rejections are respectfully traversed.

Applicant has amended independent Claim 5 to recite that the window washer machine includes a timer, a money receiving unit, and a power supply. Applicant has amended independent Claim 14 to recite a housing for locating the timer, pump and power supply. Applicant will advance arguments hereinbelow to illustrate the manner in which the presently claimed invention is patentably distinguishable from the cited and applied prior art. Reconsideration of the present application is respectfully requested.

The applied prior art reference to Nichols discloses a window cleaner apparatus having reciprocating member or rod, and a casing having an electrical operation device operatively connected to the member. The end of the member has a plurality of interchangeable heads for scrubbing, wiping and polishing a window. The reciprocating member operates on a pivoting scheme such that a scrubbing brush, or wiper blade or polishing chamois skin is reciprocated in a pendulum type motion at the end of the member. Nichols does not disclose a unitary squeegee head having both the wiper blade and the porous material or sponge that is reciprocated as a unitary element between the first and second positions, linearly along the length of the shaft.

The prior art reference to Nichols, Jr. discloses a device for cleaning windshields having a window washing sponge, a window squeegee blade, a shoe brush, and a shoe scraper. Although the disclosure of Nichols, Jr. sets forth the combined cleaning tools integrally formed on a single tool head, there is no guidance or motivation found in either Nichols, or Nichols, Jr. for combining as alleged by the Examiner. Further, based upon the disclosures of these references, it is apparent to one having ordinary skill in the art that in order to accommodate Nichols with the cleaning head of Nichols, Jr., the structure of one would have to be destroyed in lieu of the other. In other words, there is no suggestion found in either of these references that one having ordinary skill in the art would have arrived at Applicant's uniquely claimed embodiments, aside from Applicant's own disclosure, in hindsight. It is long held that hindsight reconstruction is improper in determining the level and scope of the skilled artisan. Applicant respectfully requests the rejections based on the

improper combination of the alleged prior art references to Nichols, and Nichols, Jr. It is impermissible hindsight to use the claim as a frame and the prior art references as a mosaic to piece together a facsimile of the invention. *W.L. Gore & Associates v. Garlock, Inc.*, 220 USPQ 303, 312 (Fed. Cir. 1983), cert. denied, 469 U.S. 851 (1984).

The applied prior art reference to Burr et al. discloses an electrical appliance for steam cleaning smooth surfaces such as windows. The appliance having an electrical connection to an electrical power supply, storage container for storing a supply of water, electrical heater for heating the supply of water to produce steam, and distributor for distributing the resulting steam to the outside of the appliance. The appliance also has a wiper blade for clearing the condensed water and loosened dirt and debris from the smooth surface after the application of steam thereto.

The applied prior art reference to Kenney et al. discloses coin/credit-card/debit-card and credit card activated windshield washer fluid dispensing system having a timer for regulating the amount of use of the system per the collected monetary activation.

The applied prior art reference to Peterson et al. discloses automotive cleaner dispensing system having, *inter alia*, recoiled hose for conserving storage space and preventing tangling/knotting of the hose.

Applicant submits that neither of the applied prior art references to Nichols, Nichols, Jr., Burr et al., Kenney et al., and Peterson et al., taken alone or in combination as alleged by the Examiner, teach the unitary squeegee head having a carrier with a wiper blade on one side and the porous material, such as a sponge, on the opposite side of the wiper blade

without utterly destroying the structure of the primary reference Nichols. Further, none of the applied prior art references teach the linearly reciprocating motion of the squeegee head between a first and second position in a direction along the length of the shaft. In addition, there is no guidance nor motivation found in either of the applied prior art references that would have led one having ordinary skill in the art to arrive, obviously, at the unique construction of elements set forth in the instant claims. Without some other positive teaching to the contrary, aside from Applicant's own disclosure, it is respectfully submitted that the claims of the present case, as amended, are allowable over the prior art of record. A Notice to that effect is earnestly solicited. Applicant respectfully submits that for at least these reasons, Claims 5, 8-14, and 16 are allowable over the prior art applied of record.

For the foregoing reasons, Applicant respectfully submits that the present application is in condition for allowance. If such is not the case, the Examiner is requested to kindly contact the undersigned in an effort to satisfactorily conclude the prosecution of this application.

Respectfully submitted,



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